

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

Main website: www.energy.ca.gov



In the matter of:)	Docket No. [12-BSTD-01]
)	
2013 Title 24 Building Energy Efficiency)	HEARING
Standards Rulemaking Proceedings)	RE: Adoption of Proposed
California Code of Regulations, Title 24, Part)	Regulations
11)	

**Notice of Hearing for
POSSIBLE ADOPTION OF 2013 PROPOSED ENERGY
PROVISIONS OF THE CALIFORNIA GREEN BUILDING
STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 11
Availability of 15-Day Language and Opportunity for
Comment**

The California Energy Commission will conduct a hearing to consider adopting the proposed update to the energy provisions of the California Code of Regulations, Title 24, Part 11 (also known as the California Green Building Standards Code or CALGreen).

Concurrent with this notice, the Energy Commission has published modifications to the proposed energy provisions of the CALGreen that are available for public comment from September 24, 2012, through 4:00 p.m. on October 9, 2012. These modifications are known as the "CALGreen 15-Day Language" and will be considered for adoption by the Energy Commission.

October 10, 2012

10:00 a.m.

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

1st Floor, Hearing Room A

Sacramento, California

Wheelchair Accessible

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Agenda

Possible adoption, following staff presentation and public comment, of proposed update to the energy provisions of CALGreen.

Background

In February 2012, the Energy Commission published a Notice of Proposed Action (NOPA) regarding proposed revisions to the California Building Energy Efficiency Standards, California Code of Regulations, Title 24, Part 1 and Part 6, and the energy provisions of CALGreen California Code of Regulations, Title 24, Part 11. In the NOPA, the Energy Commission listed April 11, 2012, as a potential adoption date for the proposed language. The proposed language was made available for public comment for 45 days as required by law. The proposed language was also known as the “45-Day Language” or “45-Day Express Terms”. The NOPA also stated that:

The hearing before the full Energy Commission for final adoption of the 45-Day Language Express Terms will be held [April 11, 2012] unless the Energy Commission decides to make substantive changes to the Express Terms through 15-Day Language, in which case the public hearing will be continued to a later noticed date. If the Energy Commission decides to propose 15-Day Language modifications to the Express Terms, separate notice of the adoption hearing for the 15-Day Language will be provided. . . . [¶]

Interested persons should be aware that any of the provisions of the amendments under consideration by the Energy Commission could be substantively changed as a result of public comment, staff recommendations, or discussions at the Energy Efficiency Commissioner or Full Commission Hearings.

On May 15, 2012, a Notice of Hearing serving as the “separate notice of the adoption hearing for the 15-Day Language” for Title 24, Part 1 and Part 6, and the energy provisions of Part 11 was published.

Following the 45-day public comment period, the Energy Commission withdrew its proposed changes to the energy provisions of CALGreen in order to fully consider the public comments received, and to develop sufficiently related changes to the proposed language addressing many of the comments. On May 29, 2012, a Notice of Withdrawal of Certain Proposed Regulations from the 15-Day Language for the 2013 Building Energy Efficiency Standards was published. The energy provisions of CALGreen were withdrawn in their entirety from consideration at that time.

An itemization of the significant changes made to the proposed energy provisions of CALGreen in response to public comment follows:

- Removed maximum hot water pipe volume proposal for newly constructed residential buildings.
- Removed design electricity limit proposal for newly constructed residential buildings.
- Removed quality insulation installation (QII) proposal from additions and alterations to residential buildings.
- Added sections based on coordination with the California Department of Housing and Community Development and the California Building Standards Commission. These sections are replications and updates of existing sections in CALGreen and do not represent new requirements.
- Modified high efficacy lighting proposals.

In summary, the Energy Commission's proposed updates to the energy provisions of CALGreen prerequisites, which include efficiency measures that should be installed in any project striving to meet advanced levels of energy efficiency, a performance approach for Tier 1 and Tier 2 advanced level of energy efficiency, and guidelines for additions and alterations to existing buildings, as well as for newly constructed buildings.

A revised set of CALGreen 15-Day Language documents has been prepared. This Notice of Hearing serves as the "separate notice of the adoption hearing for the CALGreen 15-Day Language."

The CALGreen 15-Day Language and related documents can be obtained from the contact persons designated below or from the Energy Commission website at: www.energy.ca.gov/title24/2013standards/rulemaking/documents/index.html#12-BSTD-01.

As described further below, the CALGreen 15-Day Language is being made available for public comment from September 24, 2012, through 4:00 p.m. on October 9, 2012.

Should the Energy Commission determine that substantial changes to the CALGreen 15-Day Language are needed, this item will be continued to a future public hearing, a revised set of CALGreen 15-Day Language documents be prepared, and the future public hearing will be noticed separately.

Public Comment

The public comment period for the CALGreen 15-Day Language is from September 24, 2012, through 4:00 p.m. on October 9, 2012.

Written comments should be submitted to the Dockets Unit by 4:00 p.m. on October 9, 2012. Written comments will be also accepted at the hearing, but are encouraged to be submitted in advance. All comments will become part of the public record of this proceeding. Additionally comments may be posted to the Energy Commission's website for the proceeding.

The Energy Commission encourages comments by e-mail and electronic submission, up to 5 MB. Please include your name and any organization name. Comments should be in a downloadable, searchable format such as Microsoft® Word (.doc) or Adobe® Acrobat® (.pdf). For additional information, see Standing Order re: Proceedings and Confidentiality Procedural Requirements for Filing, Service, and Docketing Documents with the Energy Commission, available at:

www.energy.ca.gov/dockets/documents/2011_Standing_Order_for_Documents.pdf.

Please include the docket number 12-BSTD-1 and indicate Adoption of CALGreen 15-Day in the subject line. Send comments to: docket@energy.ca.gov.

If you prefer, you may send a paper copy of your comments to:

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 12-BSTD-1
Adoption of CALGreen 15-Day Language
1516 Ninth Street
Sacramento, CA 95814-5512

In addition, the Energy Commission will accept oral comments during the hearing on October 10, 2012. Comments may be limited to three minutes per speaker. Any comments will become part of the public record in this proceeding.

Please note that your written and oral comments, attachments, and associated contact information (e.g. your address, phone, email, etc.) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and any other search engines.

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser's Office at PublicAdviser@energy.ca.gov or (916) 654-4489 (toll free at (800) 822-6228).

If you have a disability and require assistance to participate, please contact Lou Quiroz at lquiroz@energy.ca.gov or (916) 654-5146 at least five days in advance.

Media inquiries should be sent to the Media and Public Communications Office at mediaoffice@energy.ca.gov or (916) 654-4989.

If you have questions on the subject matter of this meeting, please contact Patrick Saxton at Patrick.Saxton@energy.ca.gov or (916) 651-0489.

Remote Attendance

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If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

Availability of CALGreen 15-Day Language

The proposed CALGreen 15-Day Language as well as most of the other documents in the rulemaking file are posted on the Energy Commission's website at: www.energy.ca.gov/title24/2013standards/rulemaking/documents/index.html#12-BSTD-01.

These documents are also available by contacting the Energy Commission's High Performance Buildings and Standards Development Office. For copies of these CALGreen 15-Day Language documents in hard copy, contact Ron Yasny at (916) 651-2915 or by e-mail at Ron.Yasny@energy.ca.gov.

All of the documents in the rulemaking file are available in the Energy Commission's Dockets Office. For copies please contact:

CALIFORNIA ENERGY COMMISSION
Dockets Office
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
(916) 654-5076

Additional Documents Relied Upon

- 2012-09-21 Additional Explanations 2013 Proposed Energy Provisions of Title 24, Part 11
- CASE Initiative "Residential Lighting", October 2011
- CASE Initiative "Outdoor Lighting and Controls", October 2011
- 2012-03-23 Farber Energy Designs Comments Green Building Standards TN-64424
- WattStoppers Comments 2012-04-03 TN-64562
- 2012-04-13 Newport Ventures Incs Comments on the Luminaire Requirements Specifically as Pertaining to Night Lights TN 64793

DATE September 24, 2012

ROBERT B. WEISENMILLER
Chair

Mail Lists: 50, 51, 52, 53, 480 and 7434
Listserv: efficiency, building standards